

REMARKS

Claims 1-16, 19, 21-23 and 25-26 are pending in the present application. Independent claims 1, 9 and 10, claims 2 and 21 dependent on claim 1, claim 23 dependent on claim 9, and claims 11-14, 19 and 25-26 dependent directly or indirectly on claim 10, are directed to a polarizing member. Claim 3 dependent on claim 1, and claims 4-6 and 22 dependent on claim 3, are directed to an optical member. Claims 7 and 8 dependent on claims 1 and 3, respectively, and claims 15-16 dependent on claim 7, are directed to a liquid crystal display.

In the Office Action, claims 10, 12, 14, 19, 25, and 26 are rejected under 35 U.S.C. 103(a) as obvious over US 5,880,800 to Mikura et al. ("Mikura"), and claim 11 is rejected under 35 U.S.C. 103(a) as obvious over Mikura in view of US 6,153,272 to Kim et al. ("Kim").

It is alleged in the Office Action that "Mikura et al. disclose polarizing film (21), an adhesive layer, and a separator (4) comprising a polymer material-containing layer having a polymer material migration prevention layer (32) provided thereon wherein the polymer material migration preventing layer is provided on the side of the polymer material-containing layer (4) that faces the adhesive layer" (Office Action at page 2, two paragraph from the bottom).

Further, it is alleged in the Office Action that "any layer could be considered a migration prevention film since it just a matter of naming a film, further... any layer would provide an amount of migration prevention over no intermediate layer being present at all" (Office Action at page 2, last paragraph).

In answer to the argument made in the response to the previous Office Action that the silicone series releasing agent as disclosed at col. 11, lines 40-45 of Mikura is not a "polymer migration preventing layer," it is alleged in the Office Action that the present specification itself at

paragraph [0030] discloses a silicone release layer as a polymer migration preventing layer.

Reconsideration and withdrawal of the rejection is again respectfully requested.

As a preliminary, regarding the disclosure at paragraph [0030] of the present application, it is submitted that this passage of the specification does not disclose a silicone release layer as a polymer migration preventing layer. Specifically, the sentence at issue in paragraph [0030] is as follows:

Alternatively, the prevention of migration can be achieved by a system in which: a migration preventing layer made of a silica film, a metal oxide-deposited film, or the like, is provided on a polymer base material for forming a separator; and a surface coat made of a release agent such as a silicone release agent is provided on the migration preventing layer to thereby block the migration of the polymer base material components from the separator to the adhesive layer.

Thus, the phrase “to thereby block the migration of the polymer base material...” at the end of the sentence clearly refers not just to the “surface coat made of a release agent,” but to the “system,” i.e., the provision of a “migration preventing layer” with the silicone release agent. This point is emphasized when the sentence at issue is read together with the previous sentence which discloses the alternative of “a system using a separator made of a polymer purified in accordance with the above description.” As a result, paragraph [0030] does not suggest that a silicone release layer alone is a polymer migration preventing layer.

More generally, it is submitted that the interpretation according to which “any layer would provide an amount of migration prevention over no intermediate layer being present at all” (as stated in the Office Action) is incorrect. In particular, it is submitted that the present invention is intended to address the problem that polymer material does migrate from the separator into the adhesive layer, which results in unevenness of the optical properties, for example, due to

extraordinary refractive index areas caused by the migrated polymer material. In other words, in the context of the present invention, the presence of an adjacent layer, i.e., an adhesive layer, can actually enhance migration, as compared to no adhesive layer at all, because polymer material will migrate from the separator into an adhesive layer.

In terms of the physical and chemical phenomena that correspond to the migration effect, it is submitted that, from a physical point of view, a layer having a mesh structure having a mesh size of not larger than a particle size of fine particles, for example, will form a migration preventing layer. Further, from a chemical point of view, a layer having subject fine particles diffused therein, for example, will not work well as a migration preventing layer, even if the layer is thick and hard, whereas a layer in which no subject fine particles are diffused therein will work well even if the layer is thin and soft. Thus, a migration preventing layer cannot be defined in a vacuum, but whether such migration preventing layer works well or not depends on the combination of the subject fine particles and the migration preventing layer. In other words, any layer is not necessarily appropriate as a migration preventing layer, unless the layer is designed to fit the subject material.

Accordingly, with respect to the suggestion in the Office Action that “pressure sensitive adhesive layer 32” of Mikura may be considered a “migration preventing layer,” it is submitted that, as mentioned in paragraphs [0008] and [0030] of the present specification, one problem that can be addressed in the present invention is the migration of polymer material into a pressure sensitive adhesive layer. Thus, pressure sensitive adhesive layer 32 of Mikura cannot be a “polymer material migration preventing layer.”

Similarly, it is urged that a conventional silicone release agent like the “silicone series

releasing agent” provided at col. 11, lines 40-45 of Mikura does not prevent migration of the polymer, which is a reason why the present invention has been provided.

In summary, Mikura only discloses a conventional separator with silicone release agent, so that Mikura completely fails to teach or suggest a polarizing member with a separator comprising a polymer material-containing layer having a polymer material migration preventing layer provided thereon, wherein the polymer material migration preventing is provided on the side of the polymer material-containing layer that faces the adhesive layer, as recited in present claim 10. As discussed in details above, an advantage of the polymer material migration preventing layer is that this layer can prevent polymer material from migrating from the polymer material-containing layer into the adhesive, which is not the case with the conventional silicone release layer of Mikura. Therefore, present claim 10, and the claims dependent directly or indirectly thereon, are not obvious over Mikura taken alone or in any combination with Kim.

Further, with respect to claims 12-13, it is submitted that Mikura is completely silent regarding silica or metal-oxide. Therefore, for these respective reasons alone, present claims 12-13 are not obvious over Mikura taken alone or in any combination with Kim.

In addition, with respect to claims 25-26, Applicants urge that, since Mikura discloses only a conventional silicone release layer in a separator, Mikura is completely silent as to providing to the separator (i) a polymer material migration preventing layer and (ii) a release agent, as recited in present claim 25, and moreover, the single silicone release layer of Mikura cannot teach or suggest (i) a polymer material migration preventing layer and (ii) a surface coat made of the release agent, as recited in present claim 26. Therefore, for these respective reasons alone, present claims 25-26 are not obvious over Mikura taken alone or in any combination with Kim.

These specific explanations regarding each of dependent claims 12-13 and 25-26 were submitted in the response to the previous Office Action but are not mentioned in this Office Action.

In view of the above, it is submitted that the rejections should be withdrawn.

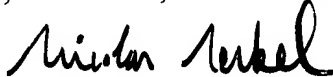
In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

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